

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In re:

BKY No. 15-42460  
Chapter 7

Paul Hansmeier,  
  
Debtor.

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**NOTICE OF EXPEDITED HEARING AND  
MOTION FOR ORDER AUTHORIZING RULE 2004 EXAMINATIONS**

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TO: Officer/Managing Agent, TitleNexus, LLC, 500 Washington Avenue South, Suite 1035, Minneapolis, MN 55415; Officer/Managing Agent, TCF Bank, 80 South Eighth Street, Minneapolis, MN 55402; Officer/Managing Agent, Wells Fargo Bank, 90 S 7<sup>th</sup> Street, Minneapolis, MN 55402; Officer/Managing Agent, Scottrade, 733 Marquette Ave, Suite 233, Minneapolis, MN 55402; Officer/Managing Agent, Associated Bank, 733 Marquette Ave S, Suite 235, Minneapolis, MN 55402; Padraigin Browne, 3749 Sunbury Cove, Woodbury, MN 55125; Class Justice, LLC, 100 5<sup>th</sup> Street, Suite 1900, Minneapolis, MN 55402-1267; and Stonebridge Bank, 903 S Washington Ave, Minneapolis, MN 55415.

1. Randall L. Seaver, the Chapter 7 trustee of the above-captioned bankruptcy estate (“Trustee”), moves the court for authorization to conduct Bankruptcy Rule 2004 examinations. The examinations for which authorization is sought is for TitleNexus, LLC; TCF Bank; Wells Fargo Bank; Scottrade; Associated Bank; Padraigin Browne; Class Justice, PLLC; and Stonebridge Bank.

2. The Court will hold an **expedited hearing** on this motion at 9:00 a.m. on December 22, 2015, in Courtroom 8 West, U.S. Bankruptcy Court, 300 South Fourth Street, Minneapolis, MN 55415.

3. Due the expedited nature of this motion, any response to this motion must be filed and served not later than 24 hours before the hearing date and time. **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This bankruptcy case was commenced as a Chapter 13 on July 13, 2015. The case was converted to one under Chapter 7 on December 3, 2015. The case is now pending in this court.

5. This court has jurisdiction over this motion pursuant to 28 U.S.C. §157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. This motion arises under Bankruptcy Rule 2004 and is filed under Local Rule 2004-1(a).

6. The individuals for which Rule 2004 discovery examination authorization is sought have the following information:

- a. Titlenexus, LLC. It appears that Titlenexus conducted the closing at which the property located at 100 3<sup>rd</sup> Avenue South #3201, Minneapolis, MN was purchased by the debtor in 2013. Title Nexus would have knowledge regarding the purchase of and who made the payment for that real property.
- b. TCF Bank. Based on documents which the trustee has reviewed, it appears that \$280,000 passed through a Scottrade account held in the name of "Monyet, LLC" and at the direction of the debtor, into accounts held in the name of his non-filing spouse, Padraigin Browne, in the two years prior to filing bankruptcy. It appears that one of the accounts into which funds were deposited was at TCF Bank. TCF Bank would have knowledge regarding the debtor's financial affairs. TCF also holds the mortgage on the real property located at 100 3<sup>rd</sup> Avenue South #3201, Minneapolis, MN.
- c. Wells Fargo Bank, N.A. The property located at 100 3<sup>rd</sup> Avenue South #3201, Minneapolis, MN was purchased by the debtor from Wells Fargo Bank. It would have knowledge of the debtor's business or financial affairs.
- d. Scottrade. The debtor was a signatory on a Scottrade account held in the name of Monyet, LLC. During the time period of May, 2013 to May, 2014, the debtor, who was the manager of Monyet, LLC, and the signatory on the Scottrade account, directed transfers from that account in a total amount exceeding \$550,000.
- e. Associated Bank. It appears that a law practice bearing the name of "Class Justice, PLLC" which appears to be the debtor's business, maintained an account at Associated Bank into which the debtor directed some payments of funds from the Monyet, LLC Scottrade account. The debtor's bankruptcy attorney has also been paid by checks drawn on accounts held at Associated Bank in the names of Padraigan Browne and Class Justice, PLLC.
- f. Padraigin Browne. Ms. Browne is the spouse of the debtor. She has testified that the debtor helped in paying off her student loans in 2011. Additionally, she is the

co-owner of real property whose sale has been approved by the court. Additionally, it appears that from July 2013 through February, 2014, \$280,000 in funds were transferred to her from the Scottrade account held in the name of Monyet, LLC. Those wire transfers authorizations were signed by the debtor.

- g. Class Justice, PLLC. Class Justice, PLLC appears to be in the name the debtor is using in his law practice. It appears that a \$5,000 check was issued by Class Justice, PLLC to the debtor's attorney in December, 2015.
- h. Stonebridge Bank. The Debtor scheduled an account at Stonebridge Bank. Stonebridge Bank would have documents and information regarding the debtor's financial affairs.

Request for Expedited Relief

- 7. The trustee has requested expedited relief in this matter for the following reasons:
  - a. This Court through its decision stated orally on December 3, 2015, asked that the Debtor's spouse's homestead claim be dealt with "as quickly as possible". The expedited relief would allow the Trustee to quickly obtain the documents and testimony necessary to determine the source of funds used to purchase, and renovate the property and to pay expenses, including the mortgage associated with the property. The source of funds used to purchase and renovate the property at 100 3<sup>rd</sup>. Ave. S., #3201, Minneapolis, MN 55401, is an issue for which the trustee needs to obtain evidence quickly in order to address Mrs. Browne's claim to sales proceeds.
  - b. Expedited relief is also necessary so that the trustee can identify possible estate assets and seek to recover those assets while they still exist.

**WHEREFORE**, the trustee requests that the court enter an order:

- 1. Granting the Trustee's request for expedited relief; and
- 2. Approving the Trustee's examinations, pursuant to Bankruptcy Rule 2004, of TitleNexus, LLC; TCF Bank; Wells Fargo Bank; Scottrade; Associated Bank; Padraigin Browne; Class Justice, PLLC; and Stonebridge Bank.

**FULLER, SEAVER, SWANSON & KELSCH, P.A.**

Dated: December 10, 2015

By: /e/ Matthew D. Swanson

Matthew D. Swanson 390271

Randall L. Seaver 152882

12400 Portland Avenue South, Suite 132

Burnsville, MN 55337

(952) 890-0888

**VERIFICATION**

I, Randall L. Seaver, the Chapter 7 Trustee in the above-captioned matter state under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on December 10, 2015

/e/ Randall L. Seaver

Randall L. Seaver, Trustee

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

BKY No. 15-42460  
Chapter 7

In re:

Paul Hansmeier,  
  
Debtor.

I hereby certify that on December 10, 2015, I caused the following documents:

- Notice of Expedited Hearing and  
Motion for Order Authorizing Rule 2004 Examinations; and
- Order (*proposed*)

to be filed electronically with the Clerk of Court through ECF, and that the above documents will be delivered by automatic e-mail notification pursuant to ECF and this constitutes service or notice pursuant to Local Rule 9006-1(a).

I further certify that I caused copy of the foregoing documents to be mailed by first class mail to the entities and individuals listed below:

Paul Hansmeier  
3749 Sunbury Cove  
Woodbury, MN 55125

Barbara J May  
Attorney at Law  
2780 Snelling Ave N, Suite 102  
Roseville, MN 55113

Officer/Managing Agent  
Title Nexus, LLC  
500 Washington Avenue South, Suite 1035  
Minneapolis, MN 55415

Officer/Managing Agent  
TCF Bank  
80 South 8<sup>th</sup> Street  
Minneapolis, MN 55402  
**Via Regular and Certified Mail**

Officer/Managing Agent  
Wells Fargo Bank  
90 South 7<sup>th</sup> Street  
Minneapolis, MN 55402  
**Via Regular and Certified Mail**

Officer/Managing Agent  
Scottrade  
733 Marquette Ave, Suite 233  
Minneapolis, MN 55402  
**Via Regular and Certified Mail**

Officer/Managing Agent  
Associated Bank  
733 Marquette Ave S, Suite 235  
Minneapolis, MN 55402  
**Via Regular and Certified Mail**

Padraigin Browne  
3749 Sunbury Cove  
Woodbury, MN 55125

Officer/Managing Agent  
Class Justice, PLLC  
100 5<sup>th</sup> Street, Suite 1900  
Minneapolis, MN 55402-1267

Officer/Managing Agent  
Stonebridge Bank  
903 S Washington Ave  
Minneapolis, MN 55415  
**Via Regular and Certified Mail**

Dated: December 10, 2015

/e/ Matthew D. Swanson  
Matthew D. Swanson

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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**ORDER FOR RULE 2004 EXAMINATIONS**

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The case is before the court on the motion of the trustee for: 1) expedited relief; and 2) an order authorizing him to conduct examinations pursuant to Federal Rule of Bankruptcy Procedure 2004. There were no objections to this motion.

Based on the motion and file,

IT IS ORDERED:

1. The trustee's request for expedited relief is granted.
2. The trustee may examine TitleNexus, LLC; TCF Bank; Wells Fargo Bank; Scottrade; Associated Bank; Padraigin Browne; Class Justice, PLLC; and Stonebridge Bank pursuant to Federal Rule of Bankruptcy Procedure 2004.

Dated:

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Kathleen H. Sanberg  
United States Bankruptcy Judge